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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,377	01/18/2002	Douglas F. Reynolds	8285-456	6995

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

# Office Action Summary

Application No.  
10/051,377

Applicant(s)  
Reynolds et al

Examiner  
Bing Bui

Art Unit  
2642



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jan 18, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 14 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 14 can not depend on itself..

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 11-14, 17-22 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Norman et al (US Pat. No. 6,055,305), cited by Applicant.

**Regarding claim 1**, Norman et al teach a method for processing a call from a calling telephone station, the method comprising:

(a) generating a query in response to a terminating attempt trigger that is activated upon receipt of the call (see Fig 3A and col 5, Ins 17-30);

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(b) accessing an indication of a language preference that is associated with the calling telephone station in response to the query (see col 2, lns 42-50 and col 8, lns 28-39); and

(c) providing routing information based on the indication of the language preference (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 2**, Norman et al further teach the method of transmitting the query from a switch to a processor (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 3**, Norman et al further teach the method of performing a database lookup (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 4**, Norman et al further teach the method of providing routing information based upon predetermined logic instructions (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 5**, Norman et al further teach the method of transmitting the routing information from a processor to a switch (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 6**, Norman et al further teach the method of (d) routing the call to a predetermined destination in response to the routing information (see col 2, lns 42-50 and col 8, lns 28-39).

**Regarding claim 11**, Norman et al further teach the method in which prior to (a), storing an indication of a language preference that is associated with the calling

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telephone station in a database (see col 2, Ins 42-50 and col 8, Ins 28-39).

**Regarding claim 12**, Norman et al further teach the method in which prior to (a), storing an indication of a language preference that is associated with the calling telephone station in a line information database (see col 2, Ins 42-50 and col 8, Ins 28-39).

**As to claims 13 and 20**, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 13 and 20 are merely a system for implementing the method defined in the method claim 1.

**Regarding claim 14**, Norman et al further teach an originating switch coupled with the terminating switch, the originating switch being operable to receive the call from the calling telephone station and route the call to the terminating switch (see Fig 1, elements "100", "110", "140" and "180"; and col 5, Ins 17-20).

**As to claims 17-19**, they are rejected for the same reasons set forth to rejecting claims 3-5 above, since claims 17-19 are merely a system for implementing the method defined in the method claims 3-5, respectively.

**As to claim 21**, it is rejected for the same reasons set forth to rejecting claim 6 above, since claim 21 is merely a system for implementing the method defined in the method claim 6.

**As to claim 22**, it is rejected for the same reasons set forth to rejecting claims 1-6 and 11-12.

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**As to claims 25-26** , they are rejected for the same reasons set forth to rejecting claim 1.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7-8, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al (US Pat. No. 6,055,305), cited by Applicant, as applied to claims 1, 13 and 20 above, and further in view of Caccuro et al (US Pat No. 5,440,615), cited by Applicant.

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**Regarding claims 7-8, 15 and 23,** Norman et al fail to teach the step (d) comprises routing the call to a predetermined interactive voice response unit in response to the routing information, wherein the interactive voice response unit implements a language associated with the language preference that is associated with the calling telephone station. However, Caccuro et al teach the method of routing the call to a predetermined interactive voice response unit in response to the routing information, wherein the interactive voice response unit implements a language associated with the language preference that is associated with the calling telephone station (Abstract and col 7, lns 21-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the method of routing the call to a predetermined interactive voice response unit that implements a language associated with the language preference associated with the calling telephone station, as taught by Caccuro et al, into communication system of Norman et al in order to provide more efficiency in serving a variety of customers.

6. Claims 9-10, 16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al (US Pat. No. 6,055,305), cited by Applicant, as applied to claims 1, 13 and 20 above, and further in view of Khuc et al (US Pat No. 6,473,505)

**Regarding claims 9-10, 16 and 24,** Norman et al fail to teach the step (d) comprises routing the call to a predetermined call center in response to the routing

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information, wherein the call center implements a language associated with the language preference that is associated with the calling telephone station. However, Khuc et al teach the method of routing the call to a predetermined call center in response to the routing information, wherein the call center implements a language associated with the language preference that is associated with the calling telephone station (col 9, lns 28-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the method of routing the call to a predetermined call center that implements a language associated with the language preference associated with the calling telephone station, as taught by Khuc et al, into communication system of Norman et al in order to provide more efficiency in serving a variety of customers.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response

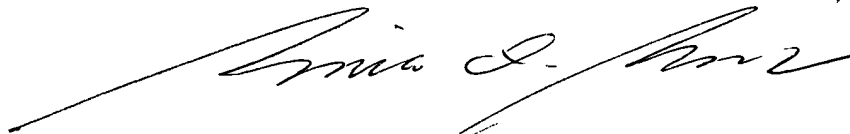


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"EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Apr 01, 2003

A handwritten signature in black ink, appearing to read 'Bing Bui', written over a horizontal line.

**BING BUI  
PATENT EXAMINER**